

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, APRIL 21, 2005**

UNAPPROVED
MAY 2, 2005

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District

ABSENT: Laurie Frost Wilson, Commissioner At-Large

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The meeting was called to order at 7:30 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Lusk requested deferral of the scheduled public hearing on RZ 2004-LE-043, from July 14, 2005 to September 15, 2005.

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Commissioner de la Fe MOVED TO FURTHER DEFER THE DECISION ONLY ON S01-CW-15CP, OUT-OF-TURN PLAN AMENDMENT, TO MAY 12, 2005 WITH THE RECORD TO REMAIN OPEN.

Commissioners Byers and Hopkins seconded the motion which carried unanimously with Commissioners Harsel and Koch not present for the vote; Commissioner Wilson absent from the meeting.

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON APR-04-II-13TC FOR CONSIDERATION WITH THE TYSONS CORNER URBAN CENTER TRANSPORTATION AND URBAN DESIGN STUDY.

Commissioners Byers and Lusk seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Wilson absent from the meeting.

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On behalf of Commissioner Wilson, Commissioner Alcorn MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON THE PUBLIC FACILITIES MANUAL AMENDMENTS FOR PARKING SPACES, CASH DEPOSITS, AND DRAINAGE DIVIDES, TO A DATE CERTAIN OF APRIL 28, 2005.

Commissioners Byers and Lusk seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Wilson absent from the meeting.

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FSA-M00-82-1- Nextel, 4800 Leesburg Pike

Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FSA-M00-82-1.

Commissioner Lusk seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Wilson absent from the meeting.

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FSA-M01-39-1- NEXTEL, 5225 Backlick Road
FSA-M99-40-1- NEXTEL, 6565 Arlington Boulevard

Without objection, Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "CONSENT AGENDA ITEMS" FOR FSA-M01-39-1, NEXTEL, 5225 BACKLICK ROAD, and FSA-M99-40-1, NEXTEL, 6565 ARLINGTON BOULEVARD.

The motion carried unanimously with Commissioner Koch not present for the vote; Commissioner Wilson absent from the meeting.

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ORDER OF THE AGENDA

Chairman Murphy announced that tonight's agenda would consist of the last of the scheduled public hearing sessions on the 2004/2005 North County Cycle Area Plans Review (APR) nominations as follows:

1. Providence District nominations.

He noted that no new items would be taken up after 12:00 a.m. and that any items not heard would be carried over to Wednesday, April 27, 2005. He added that markup was scheduled for Wednesday, May 18, 2005.

This order was accepted without objection.

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AREA PLANS REVIEW - The Planning Commission will consider proposed Plan Amendment nominations submitted as part of the 2004/2005 North County Cycle Area Plans Review process for the Providence Magisterial District as summarized in the newsprint document "Fairfax County Comprehensive Plan 2004 North Cycle Area Plans Review Public Hearings." PUBLIC HEARINGS.

Chairman Murphy reviewed the rules for public testimony and called the first item.

APR-04-II-1F – Located at Flint Hill School Campus, N of Oakton Rd., W of Jermantown Rd., S and E of Tattersall Park. Adopted Plan: Res. 2-.5 du/ac. Property is located outside of Approved Sewer Service Area (ASSA). Nominated Plan: Limited expansion of ASSA to serve the existing private school and accessory athletic fields.

Charlene Fuhrman-Schulz, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of alternative language as outlined on page 4 of the staff report.

Joe Annunziata, Chairman, presented the Providence District APR Task Force Report, a copy of which is in the date file. He said that the Task Force recommended approval with a modification as noted on page 7.

Philip G. Yates, Dewberry and Davis, the nominator of this item, on behalf of Flint Hill School, presented his rationale for the proposed Comprehensive Plan changes and concurred with staff and the Task Force's recommendations. (A copy of Mr. Yates' statement is in the date file.)

There were no further speakers, comments or questions; therefore, Chairman Murphy closed the public hearing.

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APR-04-II-1V – Located S of I-66, E of Blake Lane, W of East Blake Lane Park, N of both sides of Bel Glade St. not including 48-3((1)) 51. Adopted Plan: Res. 1-2, 2-3 and 3-4 du/ac; infill development should be of compatible use, type and intensity. Nominated Plan: Res. 30-40 du/ac with ancillary retail.

Commissioner Hart noted that he would not vote on this case. (Note: Commissioner Hart did not state a reason why he recused himself from this item.)

Charlene Fuhrman-Schulz, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended denial of the nomination as stated on page 41 of the staff report.

Joe Annunziata, presented the Providence District APR Task Force Report, a copy of which is in the date file. He said that the Task Force concurred with staff.

Matthew Troy, 1101 Kings Way Court, Vienna, spoke in opposition to the nomination because it would allow density creep outside the Vienna Transit Station growth area.

Commissioner Lawrence said that by previous arrangement, Anne-Marie Pastorkovich would read the testimony of the next listed speaker, Dr. James Fahs, 2927 Sayre Road, Fairfax, who was opposed to high-density development. (A copy of Mr. Fahs' statement is in the date file.)

Anne-Marie Pastorkovich, 2909 Nutley Street, Fairfax, said she concurred with Dr. Fahs' position.

Mark Tipton, 3018 Hickory Grove Court, Fairfax, expressed opposition to the nomination because roads, schools, and parks were already overburdened and asked the Commission not to encourage land speculation.

Commissioner Hall said that the Commission did not encourage land speculation and everyone had the right to make a nomination.

Deborah Smith, 9569 Lagersfield Circle, Vienna, representing the Fairfax Citizens for Responsible Growth and Country Creek #7 Homeowners Association, spoke in opposition to the nomination and stated it was outside the Vienna Transit Station growth area.

Douglas Steward, 10822 Maple Street, Fairfax, representing the Great Falls Group of the Sierra Club, spoke in opposition to the APR process in general and stated this nomination was a symptom of what was problematic with the planning process whereby the average citizen rarely had the opportunity to play an active role.

Fran Hooper Miller, 3015 James Street, Fairfax, said she worked for the American Public Transportation Association and expressed support for the nomination because it would provide a transit-oriented development. (Ms. Hooper Miller submitted for the record a Federal Transit Administration publication concerning land use development around transit stations, a copy of which is in the date file.)

In response to a question from Commissioner Harsel, Ms. Hooper Miller said that transit-oriented development was considered appropriate within a one-half mile radius of a transit station according to research conducted by the Transit Cooperative Research program.

Timothy Bradshaw, 9704 Blake Lane, Fairfax, expressed support for the nomination because smart growth called for increased density near transit stations.

Robin Templeton, 9577 Blake Lane, Fairfax, voiced opposition to the nomination because the property was located too far away from the Vienna Metro Station.

Charles Hall, 9577 Blake Lane, Fairfax, indicated that he was opposed to the nomination because the proposed development would be located approximately three-quarters of a mile from the Vienna Metro Station and therefore did not fall under the smart growth concept.

Jack Herrity, 214 Locust Street, Vienna, said he opposed the nomination because it and other proposed Plan amendments would have unfavorable economic, transportation, and education impacts on the community.

Steve Pastorkovich, 2309 Nutley Street, Fairfax, spoke in opposition because the nominators had not engaged the community nor taken into consideration the ramifications of the nomination on area roads, schools, and parks.

Deborah Reyher, 8628 Redwood Drive, Vienna, representing the Oakdale Park Civic Association, said she opposed the nomination because it was premature and should be reevaluated after the Metro West plan had been completed to see how it would impact the area.

Jim Clark, 2910 Swanee Lane, Fairfax, expressed support for the nomination, noting that concentrated density near transit stations was practical and would result in lower tax rates.

In response to a question from Commissioner Harsel, Mr. Clark said that when he worked he would walk to the Metro Station from his home.

Gary Gillum, 1008 Rachel Lane, Vienna, said he opposed the nomination because it would be incompatible with the surrounding area. He also said he agreed with Mr. Herrity's comments on the practice of non-comprehensive planning

Mike Cavin, 8119 Westchester Drive, Vienna, expressed opposition to the nomination because the property was too far from the Metro Station to support increased density.

Mary Teresa Flynn, Esquire, the nominator, representing Centex Homes, said that the application met many of the requirements and objectives of the Comprehensive Plan such as consolidating four different sub-divisions. She said studies showed that one-half mile was a walkable distance; therefore, Metro ridership would increase and vehicular traffic would decrease.

Russell Ekanger, 8628 Redwood Drive, Vienna expressed opposition to the nomination. He said there was not enough park space presently in that area to accommodate athletic fields for children and that Metro did not have enough cars to handle increased ridership.

In response to a question from Commissioner Alcorn, Mr. Annunziata said he was unsure but did not believe there was a close vote on this nomination.

John Lehrer, 2847 Hideaway Road, Fairfax, voiced opposition to the nomination because it would result in development that was too dense and too far away from the transit system. He said he supported Mr. Herrity's position and said that if Plan amendments were combined and not approved one at a time, it would result in a more comprehensive plan.

There were no further speakers, comments or questions; therefore, Chairman Murphy closed the public hearing.

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APR-04-II-4V – Located S of Cottage St., E of Gallows Rd., W of I-95.
Adopted Plan: Res. 5-8 du/ac for the area S of Cottage St., E of Gallows Rd.
and W of I-95 provided County policies on neighborhood consolidation are
met. Nominated Plan: Res. 3-4 du/ac, with development not to exceed 3
du/ac with conditions.

Charlene Fuhrman-Schulz, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of alternative language as outlined on page 55 of the staff report.

Joe Annunziata presented the Providence District APR Task Force Report, a copy of which is in the date file. He said that the Task Force recommended approval of alternative language with a modification as noted on page 10 of the Task Force Report.

Eugene Barnes, 2551 Gallows Road, Dunn Loring, the nominator, asked the supporters of his nomination in the audience to please stand. Mr. Barnes presented a video clip taped a few years ago of Providence District Supervisor Linda Smyth giving her reasons for not accepting a higher density proposal for this parcel and submitted her comments for the record. (A copy of the written comments by Supervisor Smyth is in the date file.)

Marcus Menezes, 8011 Sandburg Court, Dunn Loring, supported the nomination as modified by the Task Force. He said increased development would not be compatible with the surrounding neighborhood and the area could not handle increased traffic.

Mike Cavin, 8119 Westchester Drive, Vienna, representing the Dunn Loring Garden Civic Association, said he supported the nomination because it would prevent density creep and preserve the integrity of the surrounding neighborhoods.

Rebecca Cate, 8119 Westchester Drive, Vienna, expressed support for the nomination as modified by staff.

Brian McCormack, 7928 Tire Swing Road, Dunn Loring, said he supported the nomination and pointed out that traffic safety was a concern in the neighborhood.

John Eltzroth, 8100 Revatom Court, Dunn Loring, said this proposal had been unanimously supported by the Dunn Loring Improvement Association.

Philip Saunders, 8150 Woodland Court, Dunn Loring, expressed support for the nomination.

There were no further speakers, comments or questions; therefore, Chairman Murphy closed the public hearing.

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APR-04-II-7V – Located at 2903-2907, 2910, 2911 Swanee La. Adopted Plan: Res. 1-2 du/ac; infill should be compatible in terms of use, type and intensity. Nominated Plan: Res. 4-5 du/ac.

Charlene Fuhrman-Schulz, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of alternative language as outlined on page 67 of the staff report.

Joe Annunziata presented the Providence District APR Task Force Report, a copy of which is in the date file. He said that the Task Force recommended denial as noted on page 11 of the Task Force Report.

James Clark, 2910 Swanee Lane, Fairfax, the nominator, explained the planned development would be consistent in density and housing style with the recently built homes in the adjoining neighborhood. He also said that the property was within three-eighths of a mile from the transit station.

Katherine Vlannes, 2934 Beau Lane, Fairfax, spoke in opposition to the nomination and said that the homes currently on the property were in keeping with the surrounding neighborhood, as shown in her PowerPoint presentation, and that there was not a need for redevelopment.

Nickolas Vlannes, 2934 Beau Lane, Fairfax, voiced opposition to the nomination noting that the property was in a stable neighborhood and did not need redevelopment.

Charles Hall, 9577 Blake Park Court, Fairfax, spoke in opposition to the nomination and alternatives. He read comments of the Fairfax Citizens for Responsible Growth stating the neighborhood citizens association had sought a fair balance between preserving the existing stable neighborhood and permitting reasonable infill development and that this nomination would negate years of community efforts.

Philip Saunders, 8150 Woodland Court, Dunn Loring, stated his support for the nomination.

John Lehrer, 2847 Hideaway Road, Fairfax, indicated his opposition to the nomination noting that the neighborhood needed to be stabilized and the current homes were a nice transition into the rest of the neighborhood.

Fran Hooper Miller, 3015 James Street, Fairfax, expressed support for the nomination and said the present homes were too dissimilar to the other newer homes recently built in the area.

Anne-Marie Pastorkovich, 2909 Nutley Street, Fairfax, said she opposed the nomination and said the prior development had been approved with R-1 setbacks and brick façades in keeping with the neighborhood. (A copy of Ms. Pastorkovich's e-mail is in the date file.)

Robin Templeton, 9577 Blake Park Court, Fairfax, spoke in support of the position of the APR Citizen's Task Force in opposition to the nomination. She said that it was necessary to retain the existing neighborhood and that traffic on Nutley Street made it impossible to walk to the Metro Station from this property.

In response to a question from Commissioner Hart, Ms. Templeton said the pink sticker she wore was being worn by many speakers from different groups this evening and that it showed support for the "Save the Neighborhood" principle.

Gary Gillum, 1008 Rachel Lane, Vienna, said he supported the position of the APR Citizen's Task Force and opposed the nomination and staff recommendation.

Rebecca Cate, 8119 Westchester Drive, Vienna, expressed opposition to the nomination and supported the Task Force denial. She said that previous compromises for higher density had included no increase in the density for this area and that should be upheld.

Steve Pastorkovich, 2309 Nutley Street, Fairfax, voiced opposition to the nomination and the staff alternative and said prior negotiations should be considered and honored.

There were no further speakers, comments or questions; therefore, Chairman Murphy closed the public hearing.

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The Commission went into recess at 9:15 p.m. and reconvened in the Board Auditorium at 9:32 p.m.

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APR-04-II-10V – Located at 7901, 7911, 7915 Oak St; 2247, 2251, 2255 Sandburg St; 7900, 7908, 7912, 7916 Railroad St. Adopted Plan: Res. 2-3 du/ac. Nominated Plan: Res. 4-5 du/ac.

Charlene Fuhrman-Schulz, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended denial of the nomination as noted on page 89 of the staff report.

Joe Annunziata presented the Providence District APR Task Force Report, a copy of which is in the date file. He said the Task Force concurred with staff.

Majid Esmaelin 2840 Edgelea Road, Vienna, the nominator, said he wanted to revise the nomination since the staff report recommended a density of 3-4 dwelling units per acre (du/ac) instead of the 4-5 du/ac as initially proposed. He explained that if two groups of consolidation were allowed with two separate entrances, Virginia Department of Transportation recommendations could be implemented.

In response to a question from Commissioner Lawrence, Mr. Esmaelin said that his intent was a density of 3-4 du/ac. Commissioner Lawrence stated that for the Area Plans Review process to work, all the information needed to be submitted correctly so it could be properly reviewed.

Rebecca Cate, 8119 Westchester Drive, Vienna, voiced opposition to the nomination because she felt it would destabilize the neighborhood.

Paul Baker, 7994 Sandburg Ridge Court, Dunn Loring, representing Sandburg Ridge Court Homeowners Association, opposed the nomination because the proposed density would be out of place with the developments in the immediate area and could change the character of the neighborhood. He pointed out that a portion of the parcel was located in the Holmes Run Resource Protection Area which was one of the few green spaces left in Dunn Loring.

John Eltzroth, 8100 Revatom Court, Dunn Loring, requested that the nomination be denied.

There were no further speakers, comments or questions; therefore, Chairman Murphy closed the public hearing.

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APR-04-III-3FC – Located at 56-2((1)) 19 (no address); 11201 Waples Mill Rd. Adopted Plan: Base: Office up to .25 FAR; Intermediate: Office up to .35 FAR; Overlay: Office up to .50 FAR. Nominated Plan: Add option: Res. 20-25 du/ac.

Charlene Fuhrman-Schulz, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of alternative language as outlined on page 104 of the staff report.

Joe Annunziata, presented the Providence District APR Task Force Report, a copy of which is in the date file. He said that the Task Force concurred with staff.

Susan Blakely, with Walsh, Colucci, Lubeley, Emrich & Terpak, PC, 2200 Clarendon Boulevard, Arlington, representing TCR MidAtlantic Properties, the nominator of this item, said she agreed with the staff and Task Force recommendations.

There were no further speakers, comments or questions; therefore, Chairman Murphy closed the public hearing.

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APR-04-II-9V – Located at 2404, 2380 Luckett Av; 8501, 8511, 8513, 8515 Wedderburn La; 39-3((1)) 16, 17, 18A, 18E, 33A, 39-3((38)) A (no address); 2384, 2386, 2390 Cedar La. Adopted Plan: Res. 2-3 du/ac; infill development should be compatible use, type and intensity. Nominated Plan: Res. 1-2 du/ac.

Charlene Fuhrman-Schulz, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended denial of the nomination as noted on page 79 of the staff report.

Joe Annunziata presented the Providence District APR Task Force Report, a copy of which is in the date file. He said that the Task Force recommended approval of the nomination with a modification as noted on page 12 of the Task Force Report.

Alison Dyer, 8621 Redwood Drive, Vienna, the nominator, supported the nomination as submitted stating that rezoning was not a right but a privilege and noted that a similar proposal had been rejected last year. She said the property was of an environmentally sensitive nature with close proximity to a park and its integral place in a unique neighborhood required special consideration. Ms. Dyer stated the APR Citizen's Task Force supported this position and that new development should be compatible with existing neighborhoods, the Resource Protection Area (RPA) should be respected, and the W&OD Regional Trail should be preserved. (A copy of Ms. Dyer's statement and the APR Citizen's Task Force, Providence District, booklet are in the date file.)

Edward Blum, 2417 Luckett Avenue, Vienna, said the designated parcel was overgrown and dilapidated, and that the current zoning would permit redevelopment of the area; therefore, he opposed the nomination and concurred with the staff recommendation. (A copy of Mr. Blum's statement is in the date file.)

Deborah Reyher, 8628 Redwood Drive, Vienna, representing the Oakdale Park Civic Association, expressed support for the nomination and said the goal was to protect established

neighborhoods. She suggested clarifying language be added to the Comprehensive Plan as recommended by the APR Citizens Task Force. (A copy of the suggested language is in the date file.) Ms. Reyher also said that the stream running through this property had originally been designated as perennial by the Board of Supervisors which would have made it subject to the Chesapeake Bay Ordinance but it had just recently been declassified.

Philip Bosco, 2330 Augustus Court, Vienna, representing the Oak Ridge Citizens Association, said he supported the purpose of the nomination but had concerns with the language's effect on the Oak Ridge neighborhood. He said clarifying language should be included concerning buffers, access, and stormwater management. (A copy of Mr. Bosco's statement is in the date file.)

Richard Kuhlthau, 2333 Augustus Court, Vienna, spoke in support of the Oak Ridge Citizens Association position as articulated by Mr. Bosco as well as the clarifying language presented by Ms. Reyher. He also stated that the nomination might lead to increased encroachment into his community and that buffers must be preserved in any changes to the master Plan.

Lucy Keller, 2428 Luckett Avenue, Vienna, supported the nomination, and said that it would keep the property consistent with the surrounding neighborhood.

Beth Blazek, 8608 Aponi Road, Vienna, expressed support for the nomination. She submitted a map of the Oak Ridge community, noted the areas with no sidewalks, and said an already dangerous situation would be exacerbated if the nominated property was developed.

Erin Kuhn, 8609 Redwood Drive, Vienna, said she supported the nomination and the clarifying language referenced by Ms. Reyher and Mr. Bosco. She noted concerns about increased traffic if the land was developed and also agreed that the stream on the nominated property should not have been declassified.

Elaine Wolf Komarow, 2327 Malraux Drive, Vienna, spoke in support of the nomination and said there was a need to protect natural resources such as the stream and trail. Ms. Komarow submitted an article from the *Washington Post* regarding recent tree trimming by Dominion Virginia Power along the trail. (A copy of the article is in the date file.) She also said this nomination would require the developers to honor previous tree save plans for the property.

Anne-Marie Pastorkovich, 2909 Nutley Street, Fairfax, speaking on behalf of Fairfax Citizens for Responsible Growth, expressed support for the nomination, citing the need for buffering and set-back for the benefit of the W&OD Regional Trail users as well as for the privacy of the residents in the area. She also said that the recent declassification of the stream had been done without an opportunity for public comment.

Robert Smith, 8621 Redwood Drive, Vienna, said he supported the nomination and that it would provide buffers along the W&OD Regional Trail. He said if developed, the property would be out of character from the rest of the self-contained nature of the neighborhood.

Penelope Firth, 2328 Malraux Drive, Vienna, spoke in support of the nomination. She said that the stream on the property should be protected because there were many organisms living in the stream and the vegetation was necessary for them as well as for maintaining good air quality.

David Levy, 1107 Redwood Drive SE, Vienna, spoke in support of the nomination, citing the need to preserve as many trees as possible, to keep the development consistent with the neighborhood, to provide sufficient buffers, and to respect prior proffers on the nominated property.

Tim Reed, 202 Talahi Road, Vienna, disagreed with staff and stated the Comprehensive Plan was meant to be the citizen's plan and that the citizens had spoken.

Barbara Hildreth, 8300 Stonewall Drive, Vienna, representing the Stonewall Manor Community Association, said she was in support of the nomination which would provide an appropriate vegetated and landscaped buffer to the national trail. (A copy of Ms. Hildreth's statement is in the date file.)

Matthew Welborn, 1013 Aponi Road SE, Vienna, expressed support for the nomination and felt that the property should not be developed at the expense of the neighbors. He also said that approval of this nomination would correct the error made in declassifying the stream.

Charles Sheffield, 8417 Reflection Lane, Vienna, disagreed with the staff recommendation and the staff wording which stated a buffer of 25 feet was consistent with the area. He said the average distance between the houses along the trail and the park boundary was 115 feet and that the Northern Virginia Regional Park Authority, owner of the trail, the County's Non-Motorized Transportation Committee, the citizens, and even the developer who had filed a rezoning application for the nominated property, supported a larger buffer than staff recommended.

Philip A. Saunders, 8150 Woodland Court, Dunn Loring, said he supported the Task Force recommendation.

Russell A. Ekanger, 8628 Redwood Drive, Vienna, spoke in support of the nomination and stated that developing the property would cause massive problems. He also questioned the declassification of the perennial stream.

Mary Schukraft, McGuire Woods LLP, 1750 Tysons Boulevard, McLean, representing Elm Street Development & JCE, spoke in opposition to the nomination. She said the rezoning application for the subject property proposed building approximately 24 residential properties with 37 percent set aside as open space and a 40 foot undisturbed buffer on the trail with significant tree preservation areas. She also stated that the nomination did not meet criteria for a change to the Comprehensive Plan but was more of a commentary on the rezoning application.

Commissioner Hall commented that the nomination was a perfect use of the Comprehensive Plan and that the people had the right to try and preserve the W&OD Regional Trail.

Jane Leppin, 8513 Wedderburn Lane, Vienna, said she was one of the co-owners of a property under dispute and requested denial of the nomination. She said her family and the developer had worked for many years to find the best way to treat the property and to address neighborhood concerns. She noted that the requests for more tree save, open space, and designated areas for people to commune had not been asked of them before. She stated that the intention of her family was to develop the property with a lower density than that of adjacent neighborhoods.

Karen Sheffield, 8417 Reflection Lane, Vienna, representing the Vienna Manor Civic Association, spoke in support of the nomination with the Oak Ridge Civic Association's proposed amendments. She said the nomination would respect the character of the neighborhood, the buffer to the trail, and the watershed.

Matthew Di Fiore, 207 Owaissa Court SE, Vienna, expressed support for the nomination because it was logical and fair and would save trees and protect the air quality. He also said there should be a process to review an RPA reversal.

Mike Cavin, 8119 Westchester Drive, Vienna, supported the nomination saying it would provide larger buffers which were the norm for the surrounding neighborhood and would help save natural resources on the nominated property.

Rebecca Cate, 8119 Westchester Drive, Vienna, representing the Dunn Loring Garden Civic Association, expressed support for the nomination and said the proposed Plan Amendment would preserve the character of both the community and the W&OD Regional Trail, as well as address buffers, stream protection, and tree save.

Stuart Vogt, 2391 Cedar Lane, Vienna, said he supported the nomination to down plan the subject property and noted it was a pristine piece of land.

Steve Pastorkovich, 2909 Nutley Street, Fairfax, spoke in support of the nomination. He said the types of structures envisioned by the developers were out of character with the surrounding communities and the regional trail needed significant buffering and set-backs.

Steven Ordun, 2330 Addison Street, Vienna, said she supported the nomination to down plan the property.

Robin Templeton, 9577 Blake Park Court, Fairfax, supported the nomination and the APR Citizen's Task Force modifications. She said that part of the trail on the nominated property was included in the migratory path of the Monarch butterfly.

Charles Hall, 9577 Blake Park Court, Fairfax, spoke in support of the nomination which he said would allow responsible development.

George Lampman, 8531 Aponi Road, Vienna, expressed concern about what the builder would construct at the expense of the neighborhood's requests.

Mark Haufmen, 8612 Redwood Drive SE, Vienna, expressed his support for the nomination, asked the Commission to weigh all of the points made, and said he would welcome an opportunity to discuss an alternate plan with the developer and the property owners.

Julie Tutwiler, 8217 Westchester Drive, Vienna, expressed support of the nomination.

There were no further speakers, comments or questions; therefore, Chairman Murphy closed the public hearing.

Commissioner Alcorn expressed concern about inserting language into the Comprehensive Plan which prescribed a technical determination as discussed this evening. He also stated that Providence District Supervisor Linda Smyth was working to ensure proper notification of administrative determinations that would affect natural resource classifications.

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Commissioner Lawrence thanked the audience for coming out tonight and participating in the process and asked Chairman Murphy to review the next step.

Chairman Murphy stated that the public hearings were now closed but the record would remain open for written and electronic comment. He said markup would take place on May 18, 2005 and explained that if the Planning Commission denied the nomination or recommended that the current Plan be retained, the item would go no further. He said, however, if the Planning Commission recommended approval, in one format or another, it would go to the Board of Supervisors for public hearing.

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The meeting was adjourned at 11:25 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Susan M. Donovan

Approved on: _____

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission